

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

:
DERRICK RAY, :
:
Petitioner, :
:
v. : **Civil Action No.**
:
ANTHONY WASHINGTON, Warden, : **5:10-CV-86 (CAR)**
:
Respondent. :
:
:

**ORDER ON THE REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

Before the Court is the United States Magistrate Judge's Recommendation [Doc. 15] that Respondent's Motion to Dismiss the present petition for lack of exhaustion of state administrative remedies [Doc. 11] be granted. No Objection was filed, and having considered the matter, this Court agrees with the findings and conclusions of the United States Magistrate Judge. The Recommendation of the United States Magistrate Judge is therefore **ADOPTED** and **MADE THE ORDER OF THE COURT**; Respondent's Motion [Doc. 11] is hereby **GRANTED**.

SO ORDERED, this 23rd day of November 2010.

S/ C. Ashley Royal
C. ASHLEY ROYAL, JUDGE
UNITED STATES DISTRICT COURT

SSH